

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7099**

**BILL NUMBER:** SB 532

**NOTE PREPARED:** Jan 20, 2009

**BILL AMENDED:**

**SUBJECT:** Coroners.

**FIRST AUTHOR:** Sen. Merritt

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State

**Summary of Legislation:** This bill reestablishes the Coroners Training Board (Board) within the Indiana State Department of Health (ISDH). The bill requires the ISDH to provide staff and administrative support to the Board. It also repeals the current law governing the Coroners Training Board.

The bill establishes fees to obtain additional copies of death certificates.

The bill also establishes the Coroner Review Board, which is established to review a coroner's determination of a cause of death. It allows the Review Board to order a coroner to revise a certificate of death if the Review Board determines that the coroner made an incorrect determination as to the cause of a death.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:** *Summary:* The bill would add the responsibility to provide staff and administrative support for the Coroners Training Board and the Coroner Review Board to the duties of the ISDH. The ISDH would also be required to provide training and pay the expenses of the Coroner Review Board. The expenses of the Coroner Review Board would depend on the number of reviews that may be required to be conducted. The nature and extent of the training required is unknown, and the associated expense is indeterminate. The transfer of the Coroners Training Board to the ISDH should be achievable within the current level of resources available to the ISDH and the Coroners Training Board.

Background Information:

*Coroners Training Board:* The bill reestablishes the seven-member Coroners Training Board within the ISDH. ISDH is required to provide staff and administrative support to the Board. Currently, the Board is housed within the Indiana Criminal Justice Institute (CJI). The Board consists of the Commissioner of Health or a designee, who serves as the chairperson, and five coroners and one citizen with specified relevant professional experience to be appointed by the Governor.

The Board meets twice each year. The Board currently operates with two part-time, contracted staff members, an Executive Director and a Director of Training. The Board's expenses and training activities are funded by the Coroner's Training and Education Fund. The CJI currently provides limited administrative support for the Board. The CJI acts as the Board's fiscal agent, paying bills and submitting the budget. The CJI has also provided some legal assistance. The small cost of these activities has been tracked and charged to the Coroner's Training and Education Fund as an expense of administering the Fund. The bill would require ISDH to provide administrative support including the adoption of rules for the Board, which should be achievable within the current level of resources available to ISDH.

*Coroner Review Board:* The bill also establishes the seven-member Coroner Review Board within the ISDH. The Review Board will be composed of six county coroners appointed by the Governor; the Commissioner of Health or a designee is the chairperson. The Review Board is to meet at the call of the chairperson. The ISDH is required by the bill to provide staff, training, and administrative support to the Review Board. Any family member of a deceased person who disputes a coroner's determination of a cause of death may petition the Review Board to review a case. The Review Board may require a person with information relevant to the case to provide testimony. The bill would give the Review Board access to records concerning the deceased from a coroner, a law enforcement agency, and a hospital, a physician, or a mental health professional. The bill specifies procedures for confidentiality during a Review Board investigation. The bill does not give the Review Board rule-making authority. The bill specifies that the expenses of the Review Board are to be paid from funds appropriated to the ISDH. The expenses of the Board would be dependant upon the number of reviews that may be required to be conducted and the amount of investigation required by a review. The nature and extent of the training required is unknown, and the associated expense is indeterminate.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) existing staff and resources not currently being used to capacity; (2) existing staff and resources currently being used in another program; (3) authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) funds that, otherwise, would be reverted; or (5) new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

**Explanation of State Revenues:** The bill reestablishes the nonreverting Coroners Training and Continuing Education Fund.

The bill adds a fee to be assessed for the issuance of additional copies of a death certificate as follows: the first copy is \$1, a second additional copy is \$2, a third copy is \$3, and a fourth copy is \$4. Each additional copy after the fourth copy is \$4 for each copy. Most of the local health departments charge for copies of death certificates. The charges range from \$0 to \$15 for copies; a large number of the counties charge the same amount for a copy as for the first certified copy. If an individual required four additional copies of a death certificate, the fee for the copies would add \$10 to the Coroner's Training and Continuing Education Fund. There are no data collected to determine the total number of copies of death certificates produced by

the local health departments. The revenue impact of this fee increase is indeterminate.

**Background Information:** Currently, if a local health department makes a charge for a certificate of death, a \$1.75 Coroner's Continuing Education Fee must be added to the established rate. (Prior to July 1, 2007, the fee was \$1.00.) The collected fees are transferred semiannually to the Treasurer of State for distribution to the nonreverting Coroner's Training and Continuing Education Fund. The fund received total revenue of \$318,825 in FY 2007, \$505,549 in FY 2008, and had received \$331,162 as of January 16, 2009.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Coroners Training Board; ISDH; CJI.

**Local Agencies Affected:** Local health departments and county coroners.

**Information Sources:** Local Health Departments Vital Records Fees at: <http://www.in.gov/isdh/20422.htm>  
Auditor's Data, *Revenue Trial Balance* as of January 16, 2009, *Indiana Handbook of Taxes, Revenues, and Appropriations*, Indiana Legislative Services Agency, FY 2008.

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